

**TITLE 16. DEPARTMENT OF CONSUMER AFFAIRS
BUREAU OF SECURITY AND INVESTIGATIVE SERVICES**

NOTICE OF PROPOSED RULEMAKING

NOTICE IS HEREBY GIVEN that the Director, Department of Consumer Affairs (hereinafter referred to as “Department,” Bureau of Security and Investigative Services (hereinafter referred to as “BSIS” or the “Bureau”) is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at 400 “R” Street, Suite 1030, Sacramento California, 95814: 1:00 p.m. to 4:30 p.m., on September 7, 2004.

Written comments, including those sent by mail, facsimile, or e-mail should be addressed to Noreene DeKoning, the contact person identified in this Notice. The Bureau must receive all written comments at its office no later than 5:00 p.m., September 7, 2004.

The Bureau, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

AUTHORITY AND REFERENCE

Business and Professions Code section 7581 authorizes the director to amend, adopt, or repeal regulations for the administration and enforcement of the Private Security Services Act. Business and Professions Code sections 7583.6 and 7583.7, as amended by Assembly Bill 2880 (Stats. 2002, Chapter 886; Chavez) establishes training requirements for security guards and requires the Department to develop and approve by regulation a standard course and curriculum for security guard skills training. Proposed Section 643 of Title 16 of the California Code of Regulations sets forth the training requirements for security guards.

INFORMATIVE DIGEST/PLAIN ENGLISH POLICY STATEMENT OVERVIEW

Business and Professions Code section 7581 authorizes the Director to amend, adopt, or repeal regulations for the administration and enforcement of the Private Security Services Act. Senate Bill 2880, chapter 886 of the Statutes of 2002 changed the training requirement for registered security guards in the Private Security Service’s Act. Business and Professions Code sections 7583.6 and 7583.7 increased the training requirement from three (3) hours of Powers to Arrest (PTA) training to eight (8) hours of PTA prior to the submission of a guard application for

registration. The new law also requires the guard, upon receipt of their guard registration, to complete an additional 16-hours of training within the first 30 days and an additional 16 hours within the first six months of the receipt of their guard registration. In addition, the legislation also requires the State Department of Consumer Affairs to develop and approve by *regulation* a standard course and curriculum (that will be required on and after July 1, 2004) for security guard skills training, and to consult with specified persons in formulating the regulations. (Bus. & Prof. Code § 7583.6 (c), Stats. 2002, ch. 886, § 2.) The adoption of Section 643 implements the legislative mandate of AB 2880 by setting forth a regulation that provides a training syllabus for the required training of registered security guards.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: NONE

Nondiscretionary Costs/Savings to Local Agencies: NONE

Local Mandate: NONE

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: NONE

Business Impact: The Bureau has determined that the proposed regulatory action will have no significant statewide adverse economic impact directly affecting California business, including the ability of California businesses to compete with businesses in other states.

Impact on Jobs/New Businesses:

The Bureau has determined that this regulatory proposal will not have any impact on the creation of jobs or businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Private Persons or Entities:

The Bureau has determined that the proposed regulatory action will have a cost impact that a representative private person would necessarily incur in reasonable compliance with the proposed action. However, the increased cost is necessary to insure public safety and security.

Effect on Housing Costs: None

EFFECT ON SMALL BUSINESS

The Bureau has determined that the proposed regulations would not affect small businesses because the regulations relate to training requirements for registered security guards.

CONSIDERATION OF ALTERNATIVES

The Bureau must determine that no reasonable alternative is considered to the regulation or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

INITIAL STATEMENT OF REASONS AND INFORMATION

The Bureau has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Bureau of Security and Investigative Services, 401 S Street, Suite 101, Sacramento, CA 95814.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public inspection, by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below **[or by accessing the website listed below]**.

CONTACT PERSON

Any inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name:	Noreene DeKoning
Address:	401 S Street, Suite 101 Sacramento, CA 95814

Telephone No.: (916) 322-7530
Fax No.: (916) 323-1182
E-Mail Address: Noreene_DeKoning@dca.ca.gov

The backup contact person is:

Name: Donna Jacobsen
Address: 401 S Street, Suite 101
Sacramento, CA 95814
Telephone No.: (916) 322-7530
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Website Access: Materials regarding this proposal can be found at <http://www.dca.ca.gov/bsis/>.